## WELL KNOWN THIEVES AS CENSUS TAKERS.

Inspector Byrnes Tells the Legislative Committee the True Character of Some of Porter's Men Whose Honesty Was Vouched For.

THOROUGH COUNT BY THE POLICE

All Statements to the Contrary, Their Work Was as Nearly Accurate and Impartial as It Was Possible

to Make It.

Inspector Byrnes, in his calm and simple manner of telling all he believes it is well for the inquisitors to know, remained seated comfortably in the witness chair in Part 2 of the Superior Court yesterday for nearly two hours. During that time he gave the Committee on Enumeration and Reapporionment about as much information concerning the federal census in June as they had accumu lated at all their preceding sessions. His story was related fact by fact and gave the outline of much that the HERALD has already published from the same source.

The impression left upon the minds of his audimee was that the Inspector is satisfied, not alone hat a complete census of this city's population ras not taken last June, but that the police count n September and October was infinitely superior both as to accuracy and completeness. The comnittee seemed to be satisfied with this. Even the republican members were disposed to treat the witness with distinguished consideration. Mr. Byrnes is not a safe man to cross-examine and bullyrag, and this interesting peculiarity of his was profoundly appreclated by the men who are chiefly interested in patching up the rents in Robert P. Porter's tissue of fraud.

Of course all of the members of the committee were present. Ex-District Attorney Fellows also dropped in to see what might be the possible outcome of Mr. Willard Bartlett's questioning. Chairman Holcomb seemed to be satisfied that here at last was a witness who would not alone tell the truth but who could not be trapped into telling falsehoods.

EFFORTS TO MAKE THE CENSUS ACCUBATE. The Inspector, in reply to a succession of questions from Mr. Bartlett, told how long he had been connected with the police force, related how the department was organized, described the nonpartisan political composition of the Board of Police Commissioners, answered inquiries concerning the political preferences of the majority of the men on the force and declared that the force was organized and controlled upon lines in the definition of which politics has no part.

Mr. Byrnes said that he was acting Superintendent of Police in the autumn of 1890 in the absence of the Superintendent, William Murray. In September 19, 1890, he received orders, based on a resclution adopted by the Board of Police Commis-

comber 19, 1890, he received orders, based on a resciution adopted by the Board of Police Commissioners, to prepare for an enumeration of the population of this city. Subsequently he held consultations with the Mayor and Police Commissioners concerning the methods to be employed, and instructions were issued to the police that above all things the most thorough accuracy should be striven for. The police were emphatically not instructed to make as large returns as possible in order to exceed the totals found at the last federal census. The necessity of accuracy was made evident in every way possible.

Then the Inspector described the routine work of the Binand are already so familiar. After the patrolmen had concluded their daily work, Mr. Byrnes said, they were required to remain in the station all night, "so that they could not have any opportunity to criticise the work of the day. They were particularly instructed not to count the floating population of the city—that found in station houses, tramp loderings, &c.,—and in this way the conservative total of 1, 110,000 was reached. The witness thought this "floating population" might reach a total of 20,000.

Here Mr. Bartlett asked whether the witness knew of any instances where the federal enumerators were not trustworthy. Mr. Byrnes replied in the affirmative. He sense wof several cases. One of these was George B. Deane, alias Edward W. Jones, alias "Bundy," whose portrait was numbered 1,458 in the Reques' Gallery.

PROTESSIONAL THIEVES AS ENUMERATORS.

This man had come to him, he said, and informed

professional Thirty as an enumerators.

This man had come to him, he said, and informed him that he had been appointed an enumerator on the recommendation of a lawyer named Morrison and Police Justice Taintor. This enumerator was a professional thief and had served terms in the State prisons of New York and Massachusetts. State prisons of New York and Massachusetts.
Another man employed by Supervisor Murray in
census enumeration was William C. Liebnow, a
notorious shoplifter, numbered 1.112 in the Rogues'
(sallery. This criminal had served terms for grand
larceny in Connecticut and New York.
Mr. Bartlett—Was the statement of Superintend-

larceny in Connecticut and New York.

Mr. Bartlett—Was the statement of Superintendent Forter before the Congressional committee that this man had reformed true?

Inspector Byrnes—No, sir! The statement was not true. He has not reformed. He was then and still is a professional thief. An intelligent man may get into prison twice or three times and then lessen his chances of detection, but professional thieves seldom reform.

The counsel then inquired whether the police consus could be regarded as in any sonse partisan. The witness at once exclaimed:—"Partisan! No, sir. It was absolutely impartial and unquestionably fair." Upon being questioned as to conversations with Major Oloot, representative of the Cansus Office, the witness said that he had had several chats with him and the latter had always expressed himself as not only pleased with the courtesy he had received as representative of the Cansus Office, but confident of the thoroughness with which the police census was being taken. To questions by Chairman Holcomb the witness said he believed the mideummer was not the season in which to secure an accurate census. September, be believed, was a good month for the work and thirty days little enough time to devote to the task. The hyearigation will continue in this city next Friday merning.

### TO COMPEL AN ACCOUNTING.

IMPORTANT SUIT BROUGHT BY THE MAYOR AGAINST THE MANHATTAN "L" BOAD.

Before Judge Ingraham in Supreme Court Chambers, yesterday, an action was brought by the Mayor against the Manhattan Railway Company, as the lessee and auccessor of the New York Elevated Railroad Company, to compel an accounting of five per cent of the net income from the entire passenger traffic of the New York lines since June 5, 1879, John H. Strahan appeared for the city and ex-Judge John F. Dillon and Julien T. Davies represented the elevated roads.

John F. Dillon and Julien T. Davies represented the elevated roads.

During the time referred to \$268,493 75 has been paid to the city by the New York company, but the money has been idle in the city tressury, inasmuch as the statute forbids it being applied to ordinary purposes of the city revenue, but requires that it shall be used to beautify the streets through which the first elevated railroad was authorized to run. Those purposes have not been carried out, and hence no expenditures have been made.

The payments made were formerly calculated upon the rental paid by the Manhattan company to the New York company for the use of the lines of the latter, but lately the Manhattan company has been paying upon the actual net carrings of so much git the New York company for the use built by the West bile and Yorkers Elevated Railway company succeeded.

ceeded.

It was contended by counsel for the company internal liability upon the New York company in respect to the Third avenue lines to pay five per cent under the act of 1885 is inconsistent with the terms and conditions under which the Board of Panist Company of the period of the period Tennist Company of the period Tennist Compan Transit Commissioners authorized the con-tion of that line with the consent of the city

rities. ages. The claim, therefore, which the clevated road makes is that it has overpaid the city in any event and is entitled to recover back such overpayment, and it also makes a counter claim for the sum it has been obliged to pay to the property owners.

which the Manhattan company pays for the use of the New York lines. The Judge reserved his de-cision.

GUILELESS SUGAR MAGNATES.

THEY TELL THE SENATORIAL COMMITTEE A LOT

ABOUT TRUST AFFAIRS. The State Senatorial Committee investigating the dark and devious ways of the Sugar Trust reconvened yesterday morning at ten o'clock, in the reading room of the Hotel Metropole, and continued its deliberate inquiries. At the hour of adjournment Senator Erwin announced that the com-

mittee would meet again on next Saturday and the Monday following, and continue in session during the whole of both days. Mr. Claus Doscher, of the Brooklyn Sugar Refining Company, who was on the witness stand at the hour of adjournment on Friday, was recalled.

letter was read from President Olcott, of the Cen-

tral Trust Company, saying that he was too ill to tral Trust Company, saying that he was too ill to appear.

Mr. Doscher said that the exact amount of trust certificates received for the \$500,000 capital stock of the Brocklyn Refining Company and a bonded indebtedness of \$1,200,000 was \$3,012,000. After this the bonds were cancelled. His dividend from the trust after the first six months amounted to \$52,650. Mr. Doscher said he had received from the Central Trust Company as his share under the reorganization certificates to the amount of \$1,530,000.

FROFITS HARD TO GET AT.

SALSO,000.

PROFITS HARD TO GET AT.

Henry Offermann, also of the Brooklyn Refining Company, testified that he did not know what became of the books after the company went into the trust. After going into the trust the company continued to keep an individual bank account in a Brooklyn bank. Mr. Harris made desperate efforts to find out what profits were paid the trust by the Brooklyn company after consolidation, but on this point Mr. Offermann's memory was treacherous. He knew that he had drawn checks for these profits, and he was certain they were less than \$500,000, but could not be sure of their exactingure.

Mr. Offermann did not want to tell what amount of certificates he had received in exchange for old stock, but sonator Erwin said that if he did not answer the question he would have to go to Albany and appear before the Senate, and thereupon the witness said he had exchanged his stock for \$1,000,000 in strust certificates. These he had parted with for 10,070 shares in the American Sugar Redning Company and \$50,000.

Mr. Francis O. Matthiessen, president of the Matthiessen-Wiechers Sugar Redning Company, was put upon the stand and tortured with questions by Mr. Harris and the Senators. Senator Coggeshall was particularly hard upon Mr. Mathiessen, who seemed, as far as he was able, perfectly willing to give all the information possible. He said he didn't know why the Mathiessen-Wiechers company had gone into the trust, except that Mr. Parsons had said that this was also a good thing to do. Under the advice of his counsel, Mr. Eithu Root, Mr. Matthiessen refused to tell what profits the Matthiessen-Wiechers commany had paid over to the trust. Mr. Mathiessen got \$5,630,000 in trust certificates for \$1,000,000 of the stock of his company.

Mr. Oharles F. Havemeyer, as on of Theodore A. Havemeyer, who had been subpensed as a witness, was allowed to go when he had stated that he was in the real estate business and not in any way interested in the sugar Trust, amplied to Judge Cullen, of the Kings County Suprem

TRANSFERS AND MORTGAGES.

THE OFFICIAL RECORD OF RECENT TRANSAC-TIONS IN BEAL ESTATE.

The following shows the real estate transactions and the mortgages recorded in the Register's office

L23d st., n. s., 185 ft. w. of Lenox av., 0.18/x100.1;
the Ministers. &n., of Reformed Low Durch
Church, of Harlem, to James Carlew.
104th st., s. s., 70 ft. c. of Madison av., 25x100;
Lydis Friedberg to Katle Gross.
20th st., 235 East; J. R. Tiers to John J Chilen
Same proporty: Robert C. Harrison to J. R. Tiers.
Burling slip, 28 and 30; Thomas White and another to Saleme E. White.
11th av. w. s., 50 ft. n. of 49th st., 42x100x1rrsgular; Mary A. Hill to Albert Smith.
Same proporty: George W. Van Sielen and wife to
Mary A. Hill.
Stebbins av. s. s. a., 62.6 ft. n. c. of 167th st., 40.6x
17.1x34.6x27.2; William S. Beckley and wife to
Oktharium MacKesey. 60 24,000 11,000 15:000

284.8:27.2: William S. Beckley and Wile to incrine MacKesey. 455

st., n. s., 308.4 ft. w. of 6th av., 16.8x90.11;

a J. Cehen to William H. Moynan. 12,000

1. s. s., 100 ft. e. of 9th av., 100x102.2; Airred lark and wife to F. G. Bourne. 72,000

st., a. s., 280.10 ft. w. of 7th av., 24.10x88.5; nes S. Merriem and wife to Nicholas McCool. 20 orsity place, w. s., 54.1 ft. n., of 10th st., 21.8x

3.x21.7x103.9; Samuel Riker et al. to Samuel iah. 1 st., n. a., 168.4 ft. w. of 8th av., 16.8x90.11; n. at., 435 East; Abraham Stranss to Herman 

lach.
183d st. n. s. 125 ft. s. of 7th av., 100x99.11; Morris Schneider et al. to John R. Frits and another.
20th st. 334 and 336 East: Alois Guiwellig to
Michael McCormick and another.
27,000
1st st. 28 and 42 West; Annie E. Lyon to Charles
H. Lindsley. Lindsley.
1 st., n. s., 550 ft. w. of 8th av., 125x100.8, and
her property; Cecella Cassel to Charles lyen av., s. s., 200 ft. w. of Emerson at., 50x Annie C. Doyle and another to Honora

Ringston. 1,700
RECORDED MONTGAGES.
Bourne, Fraderick G., to A. C. Clark, s. s. 73d, c. of 0th av.; 1 year. 572,000
Cullon. John J., to Admine D. Townsend: 223
East 35th st.; 1 year. 5,000
Dreyer, Lodise, and another, to Oliver B. Van
Beuren and another; n. s. 103d st., w. of 9th av.; Bouren and another; h. s. 103d st., w of 9th av.;

Prin, John R., and another; to Abraham Schneider; n. s. 133d st., e. of 7th av.; demand.

Garrick, Catharine, to the United States Life insurance Company; Nos. 140, 151, 158 Leonard st.; 6 months.

Word Sthav; 3 years.

Same to same in s. 57th st., w of 8th av.; 1 year. 10,400

Gent, Michael, to Mount St. Vincent Co-prentive Building and Loan Association: Beamont av., n. w corner 187th st.; instalments.

Holminger Ethrhard S., and wife, to Dry Dock Savings Institution n. s. 45th st., e. of 2d av.; 1

year. 3,000

Savings Institution, E. e. Wolfer, S. 1992.
Lalor, William, to Francis Muldoon, Madison av. 2,000
Lalor, William, to Francis Muldoon, Madison av. 3,000
McGormick, Michael, and another, to Aloes Gutwillig, S34 and 335 East 26th st.; 6 months. 27,000
Same to same, same property; 6 months. 2,000
Prices, Walter S. to deorge E. Huichinson, w. 8, 30,000
Smith, Albert, to Mary A. Hill, w. 8, 11th av., n. of
2003, 3, yaars. th st.: Syears. Ellen, to Mary A. Carroll, 148 West 132d st.; 12,000 Tyears.
The Church of St. Aquinas to Emigrant Industrial Savings Bank, Locust sv., n. a. cor, Walker st.; 1 year. 15.000

#### 6,000 ELECTRIC DEVICES IN DISPUTE.

The Thomson-Houston Electric Company brought suit in the United States Circuit Court yesterday against the Edison General Electric Company for an injunction to restrain them from using several valuable electrical devices, of which they claim to control the patents.

control the patents.

These devices are the carbon commutator brushes patented by Charles J. Van Deposie, of Chicago, Ill., and the electrical collecting devices patented by George Forbes, of Westminster, England. These inventions, it is alleged, are capable of conjoint use on dynamo machines, and are so used by the defondants in the infringement apparatus. It is claimed that the defendants are deriving great profits from the sale of these devices, and the complainants sale that they may be required to make a disclosure of all such profits and pay them over to them.

### ELECTRIFIED THE PAVEMENT.

The pavement in front of Nos. 110 and 112 Nassau owners.

The city disputes this proposition and insists that full payment has not been made and that it is entitled to five per cent upon the net income of the entire passenger traffic of the Ninth and This results the confirm passenger traffic of the Ninth and This results shocked. The company was notised and turned the current off. street became charged with electricity yesterday

## ECONOMY HELPED TO CAUSE THE TUNNEL DISASTER.

Not Carelessness Alone to Blame, but Soft Coal, an Inadequate Engine and the Deadly Car Stove.

ALL THE DEAD IDENTIFIED.

Coroner Levy Places a Signalman and an Engincer Under Ten Thousand Dollars Bail and Promises to Strike Higher.

All New York was talking yesterday of the disaster in the black Fourth avenue tunnel, which is travelled by a hundred trains daily and in whose smoky darkness many thousand passengers trust

their lives and limbs. The horrors of that death in wreck and flame excited a general cry for justice upon the offenders who caused the collision by inexcusable carelessness and for justice against the rich and parsimonious company whose deathly and illegal stove, thinly disguised under the name of heater, had roasted to death at least a portion of the six unfortunates who gave up their lives.

They were only employes, it is true, poor and friendless, and possibly under the righteous laws of the State to be slaughtered without the expense (\$7,000 per capita) which attends the killing of passengers. But they might have been passengers as well, and that is where the pinch comes to the two great corporations' corns. It is for this reason chiefly, but also to settle the question of possible liability, that the Central-Hudson road is anxious to have the blame put on the New Haven engineer, and the New Haven road is equally desirous to lay it on the Central operators.

HE WAS A GOOD BOY. The last of the unclaimed bodies was recognized vesterday morning at the Morgue. It was that of William A. Leilner, eighteen years of age, a fireman of the Central road, who was on his way to his engine when the murderous engine No. 107 overtook and crushed him. Whether death resulted from the crushing or the fire-for his body is horribly burned—cannot be told without an autopsy.

Early in the morning an old German came to the Morgue, accompanied by an undertaker. For a long time he stood in the rain trembling and crying and afraid to enter. He had read the descrip tions of the one unidentified corpse. It tallied with his boy, who had left for work, as usual, on the shop train and who had failed to come home, as he never failed before when his day's work was

Morgue Keeper White led the old man into the chamber of death and pointed out the coffin, which bore the simple designation, No. 3,716.

The lid was lifted and the old man with a terrible shudder looked in. A face, black, indistinguishable, horrible, stared out at him, but the

He uttered a cry and turned away. It was Will, Only an employé. Only another home desolated. The old man said his name was Antoine Leibner. of No. 932 First avenue. The charred mass was the body of his son. It was given to him and the undertaker took it away. THE LIST OF DEAD.

This completed the list of dead, which is as fol-

FLYNN, JAMES B., No. 695 Third avenue, my chinist, fifty years old; crushed and burned to

HANKE, JOHN, No. 349 West Fifty-ninth street. car cleaner, twenty-eight years old; died at Presbyterian Hospital from shock and burns, either ufficient to kill him. MULLANE, MICHAEL, No. 247 East Fifty-second

street, water boy, fourteen years old; crushed to death. MURRAY, JOHN, No. 306 East Forty-fourth street,

MURRAY, JOHN, No. 306 East Forty-fourth street, boiler cleaner; burned to death.

JUPPLE, Mrs. HELLEN T., No. 695 Third avenue, car cleaner, thirty-six years old; burned to death, ZEITNER, WILLIAM A., No. 993 First avenue, freman, eighteen years old; crushed and burned. The wounded men are all doing well.

John Hanke, the poor fellow who died at the Presbyterian Hospital, was the sole support of a widowed mother and invalid sister, and they are left utterly destitute by his death. He was a fine young man, steady and industrious, and a member of the Lutheran Church in 118th street.

The only body left in the Morgue yesterday was that of Mrs. Helen T. Supple, which was so badly burned that nothing but her wedding ring and a hit of her circlining gave the clew to her identity. burned that nothing but her wedding ring and a bit of her clothing gave the clew to her identity. It will be taken to Staten Island this afternoon, and buried in St. Mary's Cometery. CONONER LEYY WILL INVESTIGATE. Coroner Levy set about the work of investigating

and buried in St. Mary's Cometery.

CORONER LEYY WILL INVESTIGATE.

Coroner Levy set about the work of investigating the disaster yesterday.

"I propose to get at the truth of this matter," he said, "and I shall cause the arrest of whoever the jury decide to be responsible, it makes no difference how high I have to strike."

Coroner Levy held a preliminary investigation yesterday and Police Captain Carpenter brought before him Engineer Louis Fowler, of the New Haven train, who had passed a night in a station house cell; Charles Wellington, fireman; John Franklin, conductor; John Hellly, engineer on the shop train; William M. Craig, rear brakeman on the shop train; William M. Craig, rear brakeman on the shop train; William C. Modianus, operator at the Seventy-second street tower, and Edward J. Breen, operator at the Eighty-sixth street tower. Superintendent Shepard, of the New Haven road, and J. H. Franklin, station master, also came down to watch the proceedings.

At the suggestion of Captain Carpenter McManus was also arrested on a charge of manslaughter, though why McManus instead of Breen, who threw the signal lights at Seventy second street from the Eighty-sixth street tower, is a question which caused the railroad men to wender. Coroner Levy adjourned the inquest until ten o'clock on Thesday morning, when he will have a jury of representative citizens present.

Both Fowler and McManus, who gave ball in \$10,000, refused to make any statement other than had been made to their superior officers.

The collision has directed public attention to the inadequate switch engines which are in use in the Grand Central yards and in the bit of road between Forty-second street and McManus, who gave ball in \$10,000, refused to make any statement other than had been made to their superior officers.

The collision has directed public attention to the inadequate switch engines which are in use in the Grand Central yards and in the bit of road between Forty-second street and McManus, they are too light to properly handle the

stalling of the shop train behind one of these miserable affairs was one of the primary causes of the collision.

General Manager Platt yesterday said he had not collision.

General Manager Platt yesterday said he had not completed his investigation, but he did not think that further developments would alter the decision to which he has already come—namely, that the signal lights were all right and that Engineer Fowler ran past the red light. Third Vice President Webb said he thought Manager Platt was right.

"The Central road," he said, "is certainly as much interested as anybody in making the tunnel safe, and we will cordislly receive any and all suggestions looking to that end."

The oft bruited question of lighting the tunnel by electricity and using colored disks instead of lights has again come to the front.

Superintendent Toucey said the subject had been thoroughly investigated by himself and Manager Platt and they decided that the disks would not do. They would have to be placed low down, and on a foggy day the smoke collected in the bottom of the tunnel so thickly that the strongest of electric lights would not plerce it. As for ventilating the tunnel by artificial means, that could not be done on account of the large number of ventilating he lighting of all locomotive headlights while going through the tunnel. This used to be done, but the custom was discontinued when the new clock signal system came into use.

Regarding the use of anthracite coal in actumel in place of the nasty and smoky bitu mus which all the three reads so economical smoke and nauscating gases, the railroad of aved by using soft coal.

Coroner Levy has about decided to subpons William E. Rogers, Isaae V. Rake dr., and Michael William E. Rogers, Isaae V. Rake dr., and Michael William E. Rogers, Isaae V. Rake dr., and Michael William E. Rogers, Isaae V. Rake dr., and Michael William E. Rogers, Isaae V. Rake dr., and Michael William E. Rogers, Isaae V. Rake dr., and Michael William E. Rogers, Isaae V. Rake dr., and Michael William E

ing soft coal.

Coroner Levy has about decide to subpone William E. Rogers, Issae V. Bake.

Rickard, Railroad Commission, at Albany, whom the Coroner wants to testif as to the liability of the company in having the apter 616, laws of 1887, which is prohibited in fapter 616, laws of 1887, which says in effect the passenger cars are not to be heated by stoves.

Court for selling wine after one A. M. at the Arion ball: -Fritz Hartman, of No. 350 East Sixty-seventh street; Frank Weber, of No. 106 Canal street; Max Villa Kome, of No. 2 First avenue, and John Fillin-ger, of No. 217 East Thirty-fifth street.

DEPRIVED OF THEIR PREY.

JUDGE PRYOR COMES TO THE RESCUE OF A VICTIM OF USURIOUS MONEY LENDERS. Charles B. Templeton has been in a dreadful state of mind through fear that the furniture, pictures, bric-à-brac and other appointments affording him such splendor of luxurious comfort in his coses apartments at No. 86 Fifth avenue should slip through his hands and fall into the possession of vulgar, greedy, unappreciative, usurious money

He feels, however, in a calmly serene state of mind now, since his invocation of the law has selped him out of his perilous strait and Judge Pryor, of the Court of Common Pleas, has told the money lenders that they must keep their hands off his effects and granted an injunction against them.

money lenders that they must keep their hands off his effects and granted an injunction against them.

IMMPLETON'S STOUR.

The story of Templeton is more than a "twice told tale." It is astonishing indeed the frequency with which complaints of this character have recently been made in the courts. The complaints are sterectype in character. One story is the counterpart of another, and another singular feature is the fact that the family of Silverman, which evidently is very large and rightly enumerated would constitute an important factor in the census of this city, figure largely in the complaints. Here is young Templeton's story as developed in papers submitted to Judge Pryor. He wanted some money—a paitry \$150. This was a taking title for a money—a paitry \$150. This was a taking title for a money leaning concern. "National Loan and Guarantee Company." with offices in the Stewart Building. He called there on November 1 last and the whole matter was arranged with remarkable business celerity. He gave a chattel mortgage on certain articles of his furniture worth from \$1,500 to \$2,000 and two notes, one for \$150 and the other for \$50, and in exchange received a cheek for \$150 on the Mechanics and Traders' Bank, signed Silverman, Shimborg & Co.

He was given four months to repay the loan. On December 221ast he paid \$50 by way of instalment. He says that he had discovered that the mortgage has been recorded and that these words mave been incorporated since the execution:—"And all, other furniture, plotures, ornaments, bric-a-brac and anything of any description in room a not mentioned in the foregoing schedule."

THE SILVERMAN HORDE.

In his complaint Templeton gives as the names of the defendants, "George Silverman, Levi Silverman, Richard Roe and others, comprising the National Loan and Guarantee Company." He says that he was given to understand that the company was incorporated and he supposed of course that it was bountifully blessed with assets. It is his opinion now that the whole scheme is a fraud concocted

promoters and to wreck rain on its patrons, and that the parties at the bottom of it are irrespon-sible—an inference, he says, drawn from the fact that they have withdrawn all their funds from the Mechanics and Tradors' Bank.

PRIESTS OPPOSE THE WINE BILL. A PETITION IN CIRCULATION WHICH ALL THE

CATHOLIC CLERGY MAY SIGN. Opposition to the Stadler Wine bill has just deseloped from a new quarter which is likely to have some weight in the Legislature. The Catholic clergy now make protest and declare against any change of the existing laws that will yfeld a greater onsumption of wine. It is now understood that Assemblyman John Connelly's opposition to the Stadler measure, permitting the sale of wine at balls after one o'clock, is due to Church influence. He had promised the pastor of his church, so it is alleged, to oppose the measure, and he has kept up to his promise in spite of the remonstrance from Tammany Hall leaders, who favor the adoption of

Tammany Hall leaders, who favor the adoption of the proposed law.

Police Commissioner James J. Martin, who is Tammany's mouthpiece in the Legislative Chamber at Albany, orplained the merits of the Stadier bill to Connelly and asked him to support it. The Commissioner added that it was a well known fact that wine and liquor were sold at balls siter hours and that the police were paid for the privilege of violating the existing law. Should the Stadier bill pass such a system of blackmall as reported would cease and the evil would be no greater. These arguments, Assemblyman Connelly admitted, were forcible enough, but he had already promised to oppose the measure and consequently could not be moved. Even Mayor Grant's declaration that he favored the Stadier bill and would vote for it, if a member of the Assembly, had no effect upon Connelly, who comes from the Mayor's district and is supposed to voice the chief magistrate's views on legislative matters.

supposed to voice the chief magistrate's views on legislative matters.

From all these facts it is declared that Connelly is not in good oder with Tammany, and that strained relations will become more noticeable before very long. It is therefore believed that the petition against the measure started on Friday night originated to fortify the action of Connelly, who still persists in his opposition and is faithful to his pledge. Rev. James J. Flood, pastor of the Catholic Church of St. John the Evangelist, in East Fifty-first street; the Right Rev. Dean Mooney, of the Sacred Heart, in West Fifty-first street, and the Rev. Matthew A. Taylor, of the Church of the Blessed Sacrament, in West Saventy-first street, are responsible for the petition, which opens as follows:—

are responsible for the petition, which opens as follows:—

"We, the undersigned, Catholic clergymen of the city of New York, are entirely opposed to the Stadler bill or any other measure legalizing the sale of liquor after midnight. We consider every such measure as highly defrimental to the moral and material welfare of the community, and therefore petition your honorable body to reject any bill permitting the relaxation of existing laws."

The above petition is to be circulated among all the Catholic clergy throughout the city for signatures and all are expected to approve of it. When a sufficient number of signatures have been secured the paper will be forwarded to Albany for Connelly to present to the Legislative Committee, who have the matter under consideration. It is not known whether Archbishop Corrigan sanctions the circulation of the petition, but one of the clergymen interested declared that the Archbishop was in sympathy with their action. pathy with their action.

BANQUET TO THE CHINESE CONSUL. MOTT STREET CELESTIALS ENJOY A HUGE

FEAST-THE CHINESE ACTORS, A swell affair came off in Mott street yesterday The Chinese Consul and his staff were banqueted at the Chung War Gong Show Temple, otherwise known as No. 16 Mott street. The banquet was gotten up by the prominent merchants and business nen of the Chinese colony. Only Chinamen with pedigrees and bank accounts were invited.

The feast was prepared by the Chinese Del-

The feast was prepared by the Chinese Delmonico of Mott street, and he came near exhausting the resources of his art. The feasting began at four o'clock in the afternoon, and in accordance with Chinese customs was a sort of two-act spread. At six o'clock a recess of two hours was taken to give the banqueters a chance to get up another appetite, and at eight o'clock the feasting was resumed and lasted for another two hours. But none of the Chinamen needed any assistance to reach their homes.

In another matter Mott street was disappointed. The celebrated Foo Gue Yee company, consisting of thirty-five actors and eight musicians, which was advertised to open at the Chinese theatre, No. 19 Bowery, last night, did not give any performance. It was not the fault of the company. Its members were prepared to fill their engagement, and to insure good luck had given brief preparatory performances at the three principal joss houses Mott street. It was given out that the propriof of the theatre had been unable to obey a license, having neglected to make application until after office hours, out the real reason was compary of the thoatre had been unable to obey a license, having neglected to make application of the proprietor of the theatre as twhat on and the proprietor of the theatre as twhat on the proprietor of the theat

MRS. C. A. NICOLL'S FUNERAL,

A LARGE ATTENDANA AT THE SERVICES IN CALVARY PISCUPAL CHURCH

The funeral of Mrs. (nariotte Ann Nicoll, mother of District Attories Nicoll, took place at ten A. M. yesterday at Olvar Protestant Episcopal Church, Fourth avecto ind Twenty-first street. A great many peofe were present.

Dr. H 1. sutterlee, rector of the church, assisted

Jawis Cameron, conducted the services by B. Javis Cameron, The pall bearers were H. F. Townsend, William

constom was discontinued when the new clock signal system came into use.

HARD COAL TOO EXPENSIVE.

Regarding the use of anthracite coal in set tunnel in place of the nasty and smoky bit nus which all the three reads so economically see in their engines, and which fill the tunnel was moke and nauscating gases, the railroad or alls have nothing to say. Of course money is nothing to say. Of course money is considered to subpense Coroner Levy has about dectal to subpense Coroner Levy has about dectal to subpense Rickard, Railroad Commission at Albany, whom the Coroner wants to testic as to the liability of the company in having the cars heated by stoves, which is prohibited in passenger cars are not to be heated by stoves of wirnaces.

ARION BAR WAITERS ARRESTED.

The folio mg waiters were arrested yesterday morning and held for trial in Jefferson Market

The burial will take place at Shelter Island, It will be attended by the immediate family only.

# REFUSED TO SING LOUDER.

Conductor Damrosch Insinuates That She Put on Airs and Would Not Rehearse.

"AND INSULTED THE COMPANY."

She Turned Her Back to the Orchestra and He Threw Down Ris Baton-Served with an Attachment.

The story told in yesterday's HEBALD of the inharmonious dress rehearsal of "Carmen" at the Metropolitan Opera House on Thursday morning was generally discussed in theatrical circles. Mmo. Minnis Hauk and Conductor Walter Damrosch are not on the very warmest terms of friendship. Here, however, are the statements of both sides. I saw Mr. Damrosch, and this is what he said:-

"Miss Hauk sent word on Wednesday that she would not come to the general rehearsal of Thursday. It was very necessary that she should come so that the orchestra, soloists and chorus should become familiar with her tempo and the stage busi ness. On hearing of this I sent word to Mr. Stanton that if Miss Hauk did not appear at the full rehearsal I would not conduct, as, under these circumstances, I could not accept the responsibilities-I would not be responsible for the consequences.

Upon this word was sent to Miss Hauk that she must come, otherwise her part would be filled by another. We began the rehearsal at ten o'clock and at half-past ten Mme. Hauk appeared. She planted her chair in front of the prompter's box and took hardly any share in the stage business. Instead of singing with an audible voice, so that we could hear what she was doing, she simply hummed the part below her breath. Moreover, she often turned her face from the orchestra toward the back of the stage, so that we could not see, even by the motion of her lips, what she was doing. OUITE A NEW DEPARTURE.

"This was quite inexcusable and was never before heard of on the stage of the Metropolitan Opera House since the starting of the German opera. A rehearsal of that kind is always supposed to be the same as the performance itself, all the persons engaged in it acting and singing with the same in tensity as in the presence of the audience.

"In a very short time Mme. Hauk succeeded in insulting every singer on the stage. Finding it impossible to follow her with the orchestra through not hearing her voice, I stopped. I said:-"'Mme, Hauk, I must request you to sing with

more voice." "I am not well, she said, and I have never sung with more voice at a general rehearsal since

the day I first began singing in opera." "I can't help it,' I replied. 'If you are too ill to sing the opera must be postponed or some one else substituted for you. There never has been a singer on this stage who has refused to sing with full voice at a general rehearsal."

"'Do what you like,' she said, 'I will not sing." "Upon this I put my baton down and left the orchestra.

"Mr. Stanton was sent for, and he pressed me at last to continue the rehearsal, saying it would be the last rehearsal ever held with Mme. Hauk on the stage of the Metropolitan Opera House. Mr. Stanton said he would speak with her and tell her she must sing out more. I am sorry to say I yielded to his wishes.

THE COMPANY AT FEVER HEAT. "I returned to the orchestra to finish the rehearsal as best I could. She sang out just a little more, but with utter disregard to every one on the stage. The whole company was at fever heat and full of indignation.

stage. The whole company was as lever heat and rull of indignation.

"There is no doubt that Mme. Hauk was an excellent Carmen. If, however, she was a real artist she herself would have been the most desirous of all of contributing her share toward the general success, so that her tempo and style should fit in with the exemble. Her very words, 'I do not need any rehearsal,' were sufficient to stamp her as lacking that essential quality. Such true artists as Lehmann, Brandt, Fischer and Reichmann would never have thought of giving such an answer. Rehearsals are sought for by these artists, and all desire to contribute their share to the general excellence of the performance."

performance."

I saw Director Stanton at his office in the Metropolitan Opera House, but that gentleman smilingly declined to be intorviewed. Mr. Stanton, however, and Mms. Hank did not object to Mr. Damposch.

said Mme. Hauk did not object to Mr. Damrosch's conducting, and that the statement to the contrary was incorrect. Mr. Stanton added that Mme. Hauk would continue her engagement.

I called at the Barrett House to see the prima donna, and Mme. Hauk was ready with the following communication, addressed to the editor of ing communithe HEBALD:-This morning's HERALD contains an article headed "Minnie Hank Objects to Walter Damrosch." Allow me to state that the HERALD has been entirely misinformal Respectfully.

Among the rumors I desired Mme. Hauk to Siorest was one that she would sing with Colonding
Caull's opera company sooner or later. Accowed,
to her custom the singer would not be int.
but made the following written statemed

to her custom the singer would not be int.
but made the following written statemed uring the
Mme. Minnie Hauk has been very ill indige that she
last few days. She left word at the hotsle to leave her
could not receive any visitors, not being siy of her indis
bed. She had informed Mr. Stanton by lom attending at
position and begged him to be excused previous rehearthe general rakearsal, having had se Mr. Damrosch as
asle of "Garmen" and having notifiat she was too ill to
well as the stage manager by lettering disposal of these
go cut, but that she was entirely-matter in her power
gentlemen to give them any lige, at her rooms if they
or to reheave with them tempig a few blocks to see her,
could go to the trouble of columned ap. Mr. Station,
None of them, howevegis; linear, saw the necesalthough aware of them. An owevegis; linear, saw the necesalthough aware of the me. The general rehearsal, and in
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and only do the mest hun these same to the general reout with full voice and clock in the morning, and
hearsal a little of readined there until late in the
alternoon. Hege her to take during the intermission,
pare medicing mor solve with "Quilla.

Mme. Haors, sithet they were reheared twice with
of the nurs. She complied not only with every domand,
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Mme. Haors, set that they were reheared twice with
of the nurs. She complied not only with every domand,
the original selection of the country of the same of the country
and the rumor of breaking her engagement and
faile of cast where she has ming 'Carmen'.

See states that she has nearly rovery domand,
the original that more she has n

served with an attachment.

Unfortunately, however, Mme. Hauk was not let alone yesterday, for Deputy Sheriff Finn also called on the lady and succeeded in serving her with an attachment,

Judge McCarty, of the City Court, had granted the attachment, for \$347, in favor of Loui Cassini Holden. Miss Holden, who alleges that she was engaged by Miss Hauk on May 26, 1834, for at least one year as wardrobe keeper, maid and stage manager at a monthly salary of \$20, in addition to all necessary living and travelling expenses, including passage to and from Europe; that she accompanied Miss Hauk to Europe and performed services to December 20, 1884, when she was, without any cause or reason, discharged in London. r reason, discharged in London. Mme. Hauk disputes the validity of the claim.

A BIG JUDGMENT ENTERED.

A judgment for \$40,752 was entered yesterday gainst the Wyoming Pacific Improvement Com pany, of No. 2 Nassau street, in favor of the United tates Transfer and Exchange Association on a States Transfor and Exphange Association on a note dated August 12, 1890, for \$40,000, payable on demand. Payment of the note was demanded on December 12 last, but it was not paid. Attached to the note as collateral security were eighty bonds of the Nebraska and Western Bailway Company. The Wyoming Pacific Improvement Company was incorporated about three years ago, with a capital stack of \$5,000,000 and was an exceed in the conincorporated about three years ago, with a capital stock of \$3,000,000, and was engaged in the construction of the Pacific Short Line, included in which was the Nebraska and Western Railrond, Wendell Goodwin was president and Edward E. Gedney, president of the falled North River Bank, was vice president.

### THREE BURGLARS CORNERED.

Patrolmen Hannon and Donohue noticed a susdicious light in the storage room of the St. John's

the window while Bannon entered the hotel and aroused Mr. Work, the proprietor.

Together they approached the storage room softly. Mr. Work quietly inserted a key in the lock, unlocked the door and quickly throw it open. They entered the room, each with a drawn revelver in hand. Three men were found bundling up 5,000 cigars. The burglars were at first inclined to fight their way to liberty, but the cleaming barrels of the revolvers pointed at their heads changed their resolution and they submitted to arrest. They gave their names as Michael Murphy, of Hudson street; John Lynch, of No. 454 Greenwich street, and Michael Crowley, of No. 445 Greenwich street, In the Tombs Folice No. 445 Greenwich street. In the Tombs Folice Court yesterday Justice Hogan held them for trial

MORE QUEER PROCEEDINGS.

HOW JUDGE DYEMAN DISCRIMINATED BETWEEN SHURIUP SCHIRMER'S CREDITORS.

The HERALD's story of Judge Dykman's queer injunctions, issued for the purpose of restraining Sheriff Schirmer's creditors from examining him in order that they might ascertain what assets he possesses, was the general theme of conversation yesterday at White Plains, where Judge Dykman lives and holds court. The comments were not of a character that Judge Dykman would have cared to listen to

But it is probable that Judge Dykman will issue no more queer injunctions in this suit.

Benjamin Patterson, counsel for Messrs. Mar chutz and Mack, who secured the judgments against chutz and Mack, who secured the judgments against
Sheriff Schirmer, but have been held at bay for
more than a year by Judge Dykman's injunctions,
went to White Plains yesterday and appeared before Judge Mills for the purpose of examining
Sheriff Schirmer. This time he was not confronted
with any injunction from Judge Dykman, and
the Sheriff's lawyer pledged his word that he would
produce his client for examination next week.

Some other proceedings in the Schirmer case
came to light resterday which are every bit as
queer as Judge Dykman's three injunctions, which
were each in turn vacated by Supreme Court
judges in this city.

On January 2, a few days before the date assigned
for making a return to the motion to dismiss the

On January 2, a few days before the date assigned for making a return to the motion to dismiss the appeal made by Sheriff Schirmer to the General Term for the purpose of setting aside the judyments against him, application was made to Judge Dyaman for leave to issue an execution against Sheriff Schirmer on a judgment obtained against him by another creditor, Emil Steern. There are reasons for believing that the proceedings instituted by Mr. Stearn were entirely agreeable to Sheriff Schirmer and were made for the purpose of embarrassing other creditors.

The application was promptly grauted. The execution was only issued on January 3 and returned unsatisfied. On the same day Judge Dykman granted an order for the examination of Sheriff Schirmer in supplemental proceedings for the purpose of learning what assets he possessed.

What makes this queer is the fact that when two other judgment creditors of Sheriff Schirmer's—Mesers. Marchutz and Mackwhom nobody suspects of being actuated by friendly feelings toward the Sheriff, tried to accure an examination of him, Judge Dykman issued three injunctions to prevent that examination, and in consequence it hasn't taken place yet. But in these proceedings he did all in his power to facilitate the examination and issued an order for it the moment it was asked for. Many people in White Plains are asking the reason for this discrimination.

an order for it the moment it was asked for. Many people in White Plains are asking the reason for this discrimination.

The examination was held on the same day, and then Judge Dykman issued an order appointing David Verplank, an Assistant District Attorney of Westchester county, a receiver for Sheriff Schirmer, Perhaps it is only a coincidence that Mr. Verplank happens to be on very good terms with Sheriff Schirmer. But what makes the appointment of this receiver in this expeditions fashion exceedingly queer is the fact that although Judge Dykman very well know that other judgment oreditors had suits pending against Sheriff Schirmer, having granted several stays to keep them of, he never notified them, or directed that they should be notified of these proceedings for the appointment of a receiver. And yet, it is alleged, the code of civil procedure makes it mandatory upon a judge in such a case to cause such notice to be given. Undoubtedly application will be made for the removal of this receiver.

And meanwhile the people of White Plains are wondering what queer thing Judge Dykman will do next.

Judge Dykman was holding Special Term of the

wondering what queer thing Judge Dykman will do next.

Judge Dykman was holding Special Term of the Supreme Court at White Plains yesterday when I said to him.—"The Herann would like to know what you have to say in reference to the three injunctions made by you in the suit against Sheriff Schirmer, as related in yosterday's Herann "You may tell the Herann," said Judge Dykma "that I decline to discuss the matter at all 1/2 have no statement whatever to make concer its article."

"The Herand will gladly print any stat"
"The Herand will gladly print any stat"
yudge, you desire to make." I said.
"I have great respect for the press, and to the
that I have nothing to communication the
Herand." said Judge Dykman, his coun"
coming a shade sterner.
As Judge Dykman bade me good to talk."
"Just say in substance that I declin" WILL SHE BURY "DGAR?"

THE REMARKABLE TOUNG MAN WHO COR-ROBORATES MYST, SUMNER. Mrs. Anne Gertrude Nei Gertrude Norman, may man, some time Miss Aus." the Astor House aupossibly bury "Fred Fantified as George H. Edgar, cide, whom she sadly and of Perrin H. Sumner the friend of her agar mystery man. There is the only original Norman's mind, however. much doubt ir yesterday that only philanthropic She said to Fring her in the direction of giving

motives are Evans a good funeral. the younging with her for an hour I believe that After oh more anxious to get hold of the Corshe is certificate to the death of "George H.

ones, than she is to bury anybody. Ed Norman declared that she came of a high ad old English family. She proved this by dropping her h's occasionally in a charming way. She

Summer has rotted them out from the depths of his imagination to be admired by the American public.

Miss Norman says she met young George on Breadway, in this city, in 1882, and at intervals since. He used to write letters to her and she would then meet him by accident on Broadway and they would talk over matters. He told her he had lost money on a burlesque company, but he refused a promising chance to recoup by backing Miss Norman in a hand to hand struggle with the "New East Lynn" and other drammas. Miss Norman has learned her story well.

It appeared presty clear to Coroner Levy yesterday that Mrs. Anne G. Nell, the latest identifier of the much identified corpse of the Astor House suicide, had other motives than philanthropy in identifying the body of George H. Edgar.

When Mrs. Nell called at the Coroner's office on Friday afternoon and made an affidavit that the body at the Morgue is that of Edgar the probably thought that that would be the end of it—as far, at least, as she was concerned.

Not so, however, thought Coroner Levy, who suggested that, as a matter of precaution, she herself should be identified. This seemed to suit Mrs. Nell, who promised to appear before the Coroner yesterday with convincing proofs of her identity, but she failed to do so.

NO NEW SMALLPOX PATIENTS.

IT IS THOUGHT THAT ONE OF THE STRICKEN ARMENIANS WILL DIE.

No new cases of smallpox were reported to the Health Board yesterday. The two Armenian pedlers, Ben Hammond Mol loff and Afif Barrack, who were taken from the two lodging houses at Nos. 91 and 71 Washington

street and isolated on North Brother's Island, were reported yesterday by the house physician to Dr. Gyrus Edson, the chief of the Bureau of Comagious Diseases, to be in a very dangerous condition. Molloff, the first to be stricken down with the disease, and as told in the Hanano yesterday the one who travelled all the way from his lodging house to the Reception Hospital at the foot of Essi Sixteenth street unattended, making part of the journey in a Second avenue elevated train, has what is known as black smallpox, the most malevolent form of the disease. He is delirious and there is little hope of his recovery.

In Barrack's case the physicians hold out some hope. While both men contracted the disease evidently from the same source and about the same time Barrack had a much lighter attack. This is attributed by the doctors to the fact that he had been vaccinated later than his fellow sufferer.

So far Dr. Edson has been unable to determine how the two Armenians contracted the disease. reported yesterday by the house physician to Dr.

how the two Armenians contracted the disease BOTH PARENTS ON THE ISLAND.

A policeman was called into the tenement house No. 311 East Seventy-eighth street Friday night to look after two little children whom the neighbors said, had been abandoned by their parents. They were Jennie Tracy, six years old, and her baby

were Jenne Tasor, as the brother John.

The children were crying and both said they were cold and hungry. The room was as cold as a barn and there was not a thing to eat in the house.

Their fatner is spending a few months on the Island and their mother disappeared several days ago, and has presumably gone to join her better half.

heich. No. 526 Caual street, on Friday night. Upon investigating they became satisfied that burglars were at work. Donohue stationed himself under over to the care of Matron Travers.